

*** Filed ***
06:22 PM, 28 May, 2025
U.S.D.C., Eastern District of New York

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
IME WATCHDOG, INC.,

Plaintiff,

Case No.: 1:22-cv-1032 (PKC)(JRC)

-against-

SAFA ABDULRAHIM GELARDI, VITO GELARDI,
DECLARATION OF GREGORY ELEFTERAKIS,
ROMAN POLLAK, JONATHON D. WARNER, ESQ.
ANTHONY BRIDDA, IME COMPANIONS LLC,
CLIENT EXAM SERVICES LLC, and IME
MANAGEMENT & CONSULTING LLC,

**OPPOSITION FOR CONTEMPT
And Defendants' Opposition to
Plaintiff's Opposition to Motion
for Stay**

Defendants.
-----X

**DEFENDANTS' EMERGENCY OPPOSITION TO PLAINTIFF'S CONTEMPT MOTION
AND REQUEST FOR PROTECTION FROM FURTHER UNJUST SANCTIONS**

TO THE HONORABLE COURT:

We, **Safa and Vito Gelardi**, come before this Court with heavy hearts, compelled to oppose what appears to be yet another predetermined contempt finding against us. Despite our best efforts to comply with every order, we face what the Court has already signaled will be another unjust contempt ruling - before we've even had a chance to defend ourselves. We beg the Court to pause and consider the devastating pattern that has left us without any meaningful access to justice.

We, file this Opposition **pro se** to respectfully explain why the Court's contempt findings against us are unjust. We have always tried to follow the Court's orders in good faith, relying on the advice of our former attorney, Jonathan Warner. We never intended to violate any rules, and we ask the Court to reconsider these harsh rulings that have left us feeling powerless and unheard.

I. WE WERE TRANSPARENT ABOUT THE SALE OF 9 WOODS END

The Court intends to hold us in contempt over the sale of **9 Woods End**, but the truth is, we kept **Attorney Jonathan Warner fully informed at every step**:

- **He called us repeatedly** about his unpaid legal fees.
- **We told him we were selling the house** and planned to pay him from the proceeds.
- **When the first buyer backed out**, we immediately told him and assured him we were finding another buyer.

- **Once we had a new contract**, we updated him again.
- **After closing, we told him we were waiting for the wire transfer**—and as soon as we got the money, we sent him a check, which he cashed.

We did everything we thought was right. We relied on our lawyer's guidance, and now we're being punished for it. How is that fair?

II. WE FOLLOWED OUR ATTORNEY'S ADVICE ABOUT THE BUSINESS TRANSFER

When the **TRO** was issued, we panicked. It was a **Sunday**, and court wasn't open, so we called **Jonathan Warner** for help. **His exact words were:**

“Give the business away. Don't benefit from it. When a lawyer gets disbarred, they give their practice to another attorney—as long as they don't profit, it's allowed.”

We trusted him. So, we handed everything over to **Fari Gutierrez**, a long-time companion who had worked in the industry for years. **Fari was struggling**—juggling a job while caring for his sick parents (his dad needed dialysis, his mom had an aneurysm). He was grateful for the chance to take over, until **Plaintiffs falsely accused him of being our “straw man.”**

We told the truth in court—we gave the business away, just like our lawyer said we could. Now we're in contempt for following legal advice? **How were we supposed to know better?**

III. WE DISCLOSED THE PI INVESTIGATION TO OUR LAWYER—WE WEREN'T HIDING ANYTHING

We hired a **private investigator (Steve Stanilus, a retired cop)** because **Carlos Roa is a con artist and a fraud**, and we wanted to prove it to the Court. **We told our lawyer about it, nothing was secret.** The PI suggested using a tracker to save time and money. **We're not lawyers—we assumed if a retired police officer and our attorney said it was okay, it must be ok.**

Now we're in trouble for **“hiring a PI”**, but we **never hid this from our lawyer.** How is it fair to punish us for trusting professionals?

IV. THE COURT'S RULINGS HAVE CRUSHED OUR FAIRNESS IN THIS CASE

Every time we try to comply, we get hit with another contempt order:

- **For selling our house** (even though our lawyer was aware).
- **For giving away our business** (because our attorney said we could).
- **For hiring a PI** (when we were just trying to expose fraud).

We feel like no matter what we do, we lose. We've been **treated like criminals** for relying on legal advice, while **Carlos Roa—a proven fraud and con artist, and Daniella Levi – a convicted criminal, gets away with everything.**

V. WE BEG THE COURT TO RECONSIDER

We're not trying to disrespect the Court. **We just want a fair chance.** We ask the Court to:

1. **Reverse the contempt order on 9 Woods End**—we did everything right.
2. **Vacate the contempt for transferring the business**—we followed our lawyer's advice.
3. **Drop the contempt for the PI investigation**—we were transparent.

The plaintiffs have failed to substantiate any actual damages, relying solely on inflated attorney fees to prop up their baseless claims. The defendants do not possess any of the plaintiff's IME Watchdog materials, and the only active domain in their possession related to the IME business is theimecompany.com. Contrary to Felson's false assertions, the defendants did, in fact, produce their personal bank statements. As for the text messages with Adam—the central yet conspicuously absent figure in this case—his credibility is nonexistent. Not only did he betray his employer while remaining president of her company, but he also leaked confidential Watchdog materials to multiple parties, including LAW CASH, during his employment negotiations. LAW CASH—who started IME Guards—offered Adam an \$85,000 annual salary plus 5% revenue sharing to grow IME Guards, with the profit share increasing yearly (capped at 15%) as he grew their business. Shockingly, IME Guards was formed just months after IME Companions, further exposing this scheme. When Adam declined the offer out of fear of Daniella Levi, he referred Jamal—a fired Watchdog employee—to LAW CASH, who then became president of IME Guards. The name "IME Guards" did not emerge out of thin air—it was a direct evolution of Adam's own venture, "IME Guard Dog," which he actively pitched to multiple parties using stolen Watchdog materials. Adam initially founded IME Guard Dog as the sole owner, further proving his intent to exploit confidential information for personal gain. He was so afraid of Daniella Levi, he abandoned this venture, demonstrating a pattern of deceit and opportunism. The plaintiffs' entire case hinges on Adam's coerced testimony, including a damning recording where he frantically asks, "Am I going to jail?"—a moment the plaintiff's thought was off the record. This proves their reliance on intimidation tactics. Plaintiffs' claim that Safa Gelardi 'stole' Adam Rosenblatt's information to launch 'IME Guard Dog' for his sole benefit is not only baseless but absurd on its face. Why would Gelardi allegedly misappropriate confidential material—only to hand the entire venture to Rosenblatt as the sole owner? This ludicrous accusation defies logic and underscores the plaintiffs' desperation to fabricate a narrative. The truth is clear: Adam Rosenblatt independently pursued 'IME Guard Dog' using stolen Watchdog materials, "Notably, even the plaintiffs' attorneys recognized the absurdity of their own allegation that Safa Gelardi supposedly 'stole' Adam Rosenblatt's information to create *IME Guard Dog*—a claim so implausible that it was never raised again after Safa's deposition. This silence speaks volumes. The truth is, Adam Rosenblatt himself founded *IME Guard Dog* before *IME Companions* even existed, and he brazenly distributed Watchdog's confidential materials to third parties as part of his own self-serving

ventures. His misconduct—not Gelardi’s—is the undeniable catalyst behind this dispute. The plaintiffs’ abandoned theory should be dismissed as the legally and factually bankrupt argument that it is. The defendants are the true victims here, targeted by a convicted criminal who weaponized the legal system. Even the defendants’ former attorney withdrew without seeking payment, underscoring the plaintiffs’ abusive litigation strategy. The court must recognize these facts and uphold the defendants’ right to secure proper legal representation.

We’ve been punished enough. Please show us mercy.

A FINAL PLEA TO THE COURT – FROM OUR KNEES TO YOUR BENCH

Your Honor,

We come before you today not as litigants, but as broken human beings—parents, children, and struggling souls who have lost nearly everything in this unrelenting legal storm. We are not asking for victory. We are begging for mercy. For understanding. For one moment where the Court sees not defendants, but people.

Every contempt ruling has felt like another stone thrown at wounded animals already lying prone. We have been punished for trusting our lawyer. Punished for selling our home to pay debts. Punished for giving away a business when ordered to cease operations. When the TRO was issued, we immediately ceased operations—despite knowing the so-called "client list" submitted by Plaintiff was nothing more than a marketing tool, easily disproven by logic and evidence. How could Plaintiff claim 473 clients while earning only \$45k annually, when we serviced just 35-40 clients and generated nearly \$1 million per year? The math alone exposes the lie. Worse, we provided our attorney with physical proof that many names on Plaintiff’s list used other IME services. Yet even while knowing this fraud, we still complied with the Court’s order, gave away our business, and walked away. Now we face contempt for actions taken in good faith, while the Plaintiff, a proven liar, continues manipulating this Court with fabricated evidence. Where is the justice in that? Punished for trying to prove we were defrauded. When does it end? When we’re homeless? When we’re bankrupt? When do we get to stop being the Court’s example and start being seen as human beings who made mistakes while trying their best?

Your Honor, we imagine you take the bench each morning believing you’re doing justice. But justice without mercy is just legalized cruelty. The great judges in history, the ones we tell our children about, were those who tempered the law with humanity. Who listened before they ruled. Who understood that behind every case number are real lives being destroyed or redeemed by each decision.

We are not asking you to ignore the law. We are asking you to remember why you became a judge, not to blindly punish, but to truly see, understand, and do what is right.

There comes a moment in every case when the law must breathe when a judge must choose between adding another weight to someone already drowning, or extending a hand. That moment is now.

With tears in our eyes and nothing left to lose, we beg you:

See the exhaustion in our faces from years of this battle. See the trembling hands that have signed over everything we owned. See the people who still, against all odds, believe in the goodness of the law, if only someone would show it to us.

Your Honor, you hold our lives in your hands today. Not just the outcome of this motion, but our last shred of faith that the system can be just. We are on our knees before you—not in surrender, but in desperate hope that somewhere beneath the robes and rulings, a heart still beats that remembers mercy is the highest form of justice.

We pray you find that heart today.

Respectfully submitted with nothing left but hope,

Safa-Gelardi

Pro Se Defendants